



04/12/07

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HIGH COURT OF CHHATTISGARH, BILASPUR

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Civil Revision No.143/2007

Applicants
Defendants

- : 1. Durga Prasad Mohale, aged 50 Years, S/o. Late Shri C.L.Mohale.
: 2. Shila Mohale, aged 40 years, daughter of late Shri C.L. Mohale.
: 3. Alka Mohale, aged 35 years, daughter of late Shri C.L.Mohale.

All are resident of Collector Bungalow Road, Ambikapur, District Surguja (C.G.)

- : 4. Manorama Vishwakarma, aged 32 years, wife of Shri Tika Ram Vishwakarma, resident of B/10 Mahananda Nagar, Ujjain (M.P.)

VERSUS

Non-applicants
Plaintiffs

- : 1. Vimla Devi, aged 40 years, widow of late Brijlal.
: 2. Satyapal Agrawala, aged 40 years, S/o Vishmbhar Dayal Agrawala.
: 3. (A) Smt. Saroj aged 38 years wife of Shri Ghanshyam Das.
: (B) Smt. Sarla aged 36 years, wife of Shri Jai Bhagwan. All the resident of main road, Bishrampur, Tahsil Surajpur-Surguja.
: (C) Smt. Pushpa, aged 33 years, wife of Shri Anil Kumar, Banaras Road, Ambikapur, District Surguja (C.G.)
: (D) Smt. Sarita aged 30 years wife of Shri Ajay Kumar, resident of Main Road, Bishrampur, Tehsil Surajpur, District Surguja (C.G.)
: (E) Gopal, aged 26 years, S/o Late Purushottam Das.
: (F) Rajesh, aged 24 years, S/o Late Purushottam Das, both the resident of Main Road, Bishrampur, Tahasil Surajpur, District Surguja (C.G.)
: 4. (A) Smt. Kamla Gupta, aged 62 years, widow of Late Shri Mahangu Prasad Gupta.
: (B) Shri Narendra Gupta, aged 45 years, son of late Shri Mahangu Prasad Gupta.
: (C) Mahendra Prasad Gupta, aged 42 years, S/o Late Shri Mahangu Prasad Gupta.
: (D) Kavita Gupta, aged 32 years, daughter of late Shri Mahangu Prasad Gupta.
: (E) Nidhi Gupta, aged 30 years, daughter of late Shri Mahangu Prasad Gupta.



(F) Nisha Gupta, aged 28 years, daughter of late Shri Mahangu Prasad Gupta. All are the resident of Devi Ganj Road, Opposite Tuteja Medical Stores, Ambikapur, District Surguja (C.G.)

Civil Revision Under the Provision of Section 115 of the Code of Civil Procedure

Present:
Shri M.D.Sharma, counsel for the applicants.

ORAL ORDER
(Passed on 03.12.2007)

Shri M.D.Sharma, learned counsel for the applicants seeks permission to withdraw this Civil Revision while making submission that the applicants would move a fresh application for amendment before the trial Court stating necessary facts to constitute *res judicata* between co-defendants in an earlier suit.

In view of the submission made above, the revision is dismissed as withdrawn. The applicants are at liberty to take such steps as are available under law.

Sd/-
Dilip Raosaheb Deshmukh
Judge